

Exhibit 34

Robert G. Methvin, Jr.
James M. Terrell
J. Matthew Stephens
McCALLUM, METHVIN & TERRELL, P.C.
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Counsel for Indirect Purchaser Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Case No. 3:07-cv-5944
MDL No. 1917

CLASS ACTION

**DECLARATION OF JAMES M. TERRELL
IN SUPPORT OF PLAINTIFFS'
APPLICATION FOR ATTORNEYS' FEES,
EXPENSES AND INCENTIVE AWARDS**

This Document Relates to:

All Indirect Purchaser Actions

Judge: Honorable Samuel Conti
Courtroom One, 17th Floor

1 I, James M. Terrell, declare as follows:

2 1. I am an attorney licensed to practice before the courts of Alabama and Mississippi,
 3 and a shareholder in the law firm McCallum, Methvin & Terrell, P.C. I have personal knowledge
 4 of the facts stated in this declaration and, if called as a witness, I could and would testify
 5 competently to them. I make this declaration in support of my firm's request for attorneys' fees
 6 and reimbursement of litigation expenses, as set forth in Plaintiffs' Application for Attorneys'
 7 Fees, Expenses and Incentive Awards.

8 2. My firm is counsel of record in this case, and represents named plaintiff Charlie
 9 Jenkins. A brief description of my firm is attached as Exhibit 1 and incorporated herein by
 10 reference.

11 3. Throughout the course of this litigation, my firm kept files contemporaneously
 12 documenting all time spent, including tasks performed, and expenses incurred, and transmitted
 13 those reports on a regular basis to Lead Counsel. All of the time and expenses reported by my firm
 14 were incurred for the benefit of the Indirect Purchaser Plaintiffs ("IPPs").

15 4. During the course of this litigation, my firm has been involved in the following
 16 tasks and activities on behalf of the IPPs. All of this work was assigned and/or approved by Lead
 17 Counsel: (1) meetings with co-counsel and client in preparation for filing complaint; (2) meeting
 18 with co-counsel and client in preparing discovery responses; (3) meeting with co-counsel and
 19 client in preparing client for deposition; (4) attending deposition of client; (5) reviewing court
 20 filings;¹ (6) participating in document review; (7) attending meetings or conference calls with lead
 21 counsel regarding litigation or trial strategy; (8) attending meetings or conference calls with lead
 22 counsel regarding settlement.

23 5. The schedule attached as Exhibit 2, and incorporated herein, is a detailed summary
 24 of the amount of time spent by my firm's partners, attorneys and professional support staff who

25
 26 ¹ While the review of some court filings was not performed at the express direction of lead
 27 counsel, as Counsel for the only Mississippi class representative Plaintiff, Charlie Jenkins, review
 28 of certain, important rulings and court filings was performed to stay abreast of matters to
 adequately, competently and ethically represent Mr. Jenkins in this litigation.

1 were involved in this litigation. It does not include any time devoted to preparing this declaration
2 or otherwise pertaining to the Joint Fee Petition. The lodestar calculation is based on my firm's
3 historical billing rates in effect at the time services were performed. Exhibit 2 was prepared from
4 contemporaneous time records regularly prepared and maintained by my firm. Those records have
5 been provided to Lead Counsel and I authorize them to be submitted for inspection by the Court if
6 necessary. The hourly rates for my firm's partners, attorneys and professional support staff
7 included in Exhibit 2 were at the time the work was performed the usual and customary hourly
8 rates charged for their services in similar complex litigation.

9 6. The total number of hours reasonably expended on this litigation by my firm from
10 inception to May 31, 2015 is 206.8 hours. The total lodestar for my firm at historical rates is
11 \$88,777.50. The total lodestar for my firm at current rates is \$106,985.00. Expense items are
12 billed separately and are not duplicated in my firm's lodestar.

13 7. The expenses my firm incurred in litigating this action are reflected in the books
14 and records of my firm. These books and records are prepared from expense vouchers, invoices,
15 receipts, check records and other source materials and accurately reflect the expenses incurred.
16 My firm's expense records are available for inspection by the Court if necessary.

17 8. My firm incurred a total of \$29,428.22 in unreimbursed expenses, all of which were
18 reasonable and necessary for the prosecution of this litigation. Of this amount, \$20,000.00 was for
19 assessment payments for common litigation expenses or direct payments to experts or other
20 vendors made at the request of Lead Counsel, and an additional \$9,428.22 was for non-common
21 litigation expenses incurred by my firm, such as travel, meals and lodging, copying, legal research,
22 telephone, etc. A summary of those expenses by category is attached as Exhibit 3.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed this 19th
24 day of August, 2015, in Birmingham, Alabama. 



James M. Terrell

James M. Terrell

EXHIBIT 1

[Class Actions & Complex Litigation](#)
[Insurance Fraud](#)
[Consumer Protection](#)
[Wrongful Death](#)
[Catastrophic Injury](#)
[Labor & Employment](#)
[Securities Fraud](#)
[Contingent Fee Business Litigation](#)
[Copyright & Trademark Infringement](#)
[Mediation/Arbitration \(ADR\)](#)
[Pharmaceutical & Medical Device Litigation](#)

Practice Areas

Our attorneys focus specifically on the following legal topics, which ensures that our clients receive the best representation by lawyers who are experienced in their respective field.

Class Actions & Complex Litigation

including breach of contract, RICO violations, antitrust claims, securities litigation, mortgage and lending violations, deceptive trade practices

Insurance Fraud

including deceptive insurance sales practices, annuities, insurance coverage denial

Consumer Protection Law

including predatory sales practices, predatory lending, deceptive sales, fraudulent business practices

Wrongful Death Litigation

including accidental death on a jobsite, fatal car accidents, occupation-related death

Catastrophic Injury

including injuries on the job and injuries sustained in a car wreck or tractor trailer accident

Labor & Employment Law

including wage/hour violations, wrongful termination, discrimination, and Fair Labor & Standards Act (FLSA)

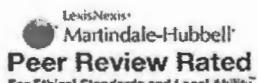
Securities Fraud

Contingent Fee Business Litigation

Copyright & Trademark Infringement

Mediation/Arbitration (ADR)

Pharmaceutical & Medical Device Litigation



The lawyers at McCallum, Methvin & Terrell, P.C. provide representation for consumers and small businesses in cases including business disputes, class actions, complex litigation, insurance fraud, consumer protection, wrongful death, catastrophic injury and labor and employment violations.

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McCallum, Methvin & Terrell, P.C.

Attorneys at Law

The Highland Building

2201 Arlington Avenue South

Birmingham, Alabama (AL) 35205 map

Toll Free: 1-800-210-7476

Phillip W McCallum

Bob is a founding shareholder of McCallum, Methvin & Terrell P.C. Bob graduated from the University of Alabama with a B.S. degree in Finance in 1991 where he was a member of Jasons Senior Men's Honorary. He received his Juris Doctorate from the Cumberland School of Law at Samford University in 1994 where he was a member of the Trial Advocacy Board. Bob frequently lectures on **business litigation** and is a registered mediator with the Alabama Center for Dispute Resolution. He has an AV® Peer Review Rating by Martindale-Hubbell and also serves as litigation counsel to a number of Alabama small businesses.

Robert G. Methvin Jr.**James M. Terrell****P. Michael Yancey****J. Matthew Stephens****Rodney E. Miller****Patrick C. Marshall****Robert G. Methvin Jr.**

SHAREHOLDER

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[email link](#)[Download vCard](#)**Practice Areas**[Class Action & Complex Litigation](#)[Contingent Fee Business Litigation](#)[Insurance Fraud](#)[Pharmaceutical and Medical Device Litigation](#)[Mediation/Arbitration \(ADR\)](#)**Main Practice Areas**[Business Litigation](#)[Complex Litigation, Including Class Actions](#)[Mediation](#)**Professional Associations and Memberships**[American Bar Association](#)[Fellow, American Bar Foundation](#)

Alabama State Bar Association - Elected Bar Commissioner, 10th Judicial Circuit of Alabama (2011-2014), (2014-2017); Board of Directors, Alabama Bar Foundation; Fellow, Alabama Bar Foundation; State Bar Disciplinary Panel (2011-present); Member, Federal Court Practice Section (2010-2011); Judicial Liaison Committee (2005-2015); Graduate, Leadership Forum (2006); President, Young Lawyers Section (2002)

Birmingham Bar Association - Board of Directors, Birmingham Bar Volunteer Lawyer Project (2013-2015); Member, Birmingham Bar Nominating Committee (2015-2017); Birmingham Bar Foundation Board of Directors (2010-2013); Chair, Crisis Relief Committee (2011); Member, Pro Bono Committee (2012); Chair, Pro Bono Week Committee (2010); Elected to Executive Committee (2007-2009); Grievance Committee (2002-2007)

Recent Awards and Designations[Super Lawyers, Business Litigation \(2014\)](#)[Top 50 Lawyers in Alabama, *Business Alabama Magazine* \(May, 2013\); *Alabama Super Lawyers® Magazine* \(2013\)](#)[Super Lawyers®, Business Litigation \(2013\)](#)[Top 50 Lawyers in Alabama, *Business Alabama Magazine* \(May, 2012\); *Alabama Super Lawyers® Magazine* \(2012\)](#)[Super Lawyers®, Business Litigation \(2012\)](#)[Recipient, Alabama State Bar President's Award for Meritorious Service \(2011\)](#)[Super Lawyers®, Business Litigation \(2011\)](#)[Super Lawyers®, Corporate Counsel Edition, Business Litigation \(2010\)](#)[Super Lawyers®, Business Litigation \(2009\)](#)**Bar Admissions**[Alabama](#)[Mississippi](#)[United States Court of Appeals 5th Circuit](#)

Education
Cumberland School of Law, J.D., 1994
University of Alabama, B.S., 1991

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Phillip W McCallum**Robert G. Methvin Jr.****James M. Terrell****P. Michael Yancey****J. Matthew Stephens****Rodney E. Miller****Patrick C. Marshall**

Jimbo is a shareholder in the law firm of McCallum, Methvin & Terrell, P.C. He graduated from Birmingham-Southern College with a B.A. degree in Political Science in 1995 and received his Juris Doctorate from the University of Alabama School of Law in 1998 where he served as a Senior Editor of the Alabama Law Review. At the University of Alabama School of Law, Jimbo also served as a member of the Jessup International Moot Court team and the John A. Campbell Moot Court Board. He was admitted to practice law in Alabama in 1998 and in Mississippi in 2001.

**James M. Terrell**

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Jimbo is a past-president of the Young Lawyers Section of the Alabama State Bar, a member of the Young Lawyers Section Executive Committee, a graduate of the Alabama State Bar Leadership Forum, and vice-chair of the Alabama State Bar Pro Bono Celebration Week Committee. He also is a member of the Alabama Supreme Court Chief Justice's Commission on Professionalism, a member of the Alabama State Bar Task Force on Section Governance, and a member of the Alabama State Bar Quality of Life Committee. For the American Bar Association, Jimbo is vice-chair of the Business Litigation Committee and the Emerging Issues Committee, as well as a member of the Task Force on Plaintiffs' Involvement in the Torts, Trial and Insurance practice section. Jimbo was named a Rising Star in the areas of Class Actions/Mass Torts in the 2010 edition of Alabama Super Lawyers®. He is a member of the American Bar Association, the Alabama State Bar, the Birmingham Bar Association, the Mississippi Bar Association, the Alabama Association for Justice, the American Association for Justice and the National Association of Consumer Advocates.

Practive Areas

Class Action & Complex Litigation

Consumer Protection

Contingent Fee Business Litigation

Professional Associations and Memberships

Alabama State Bar

American Bar Association

Mississippi Bar Association

Birmingham Bar Association

American Association for Justice

Alabama Association for Justice

Super Lawyers® Rising Star

Bar Admissions

Alabama

Mississippi

U.S. District Court Northern District of Alabama

U.S. District Court Middle District of Alabama

U.S. District Court Southern District of Alabama

U.S. District Court Northern District of Mississippi

U.S. District Court Southern District of Mississippi

U.S. Court of Appeals 11th Circuit

U.S. Court of Appeals 5th Circuit

U.S. Court of Appeals 10th Circuit



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Phillip W McCallum**Robert G. Methvin Jr.****James M. Terrell****P. Michael Yancey****J. Matthew Stephens****Rodney E. Miller****Patrick C. Marshall**

Matt is a shareholder at McCallum, Methvin & Terrell. Matt received his B.A. in History from Auburn University in 1996. He went on to receive his Juris Doctor, cum laude, from Cumberland School of Law at Samford University in 2000 and was admitted to practice law in Alabama in 2000. He is also admitted to practice law in the States of Florida and Mississippi. At the Cumberland School of Law, Matt served as a member of the Trial Advocacy Board and the Cumberland Law Review. He is currently a member of the Birmingham Bar Association, the Alabama Bar Association, the Florida Bar Association, the Mississippi Bar Association, the Alabama Association for Justice, the American Association for Justice and the National Association of Consumer Advocates.

**J. Matthew Stephens**

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[email link](#)[Download vCard](#)**Practice Areas**[Class Action & Complex Litigation](#)[Insurance Fraud](#)[Consumer Protection](#)[Wrongful Death Litigation](#)[Catastrophic Injury](#)[Labor & Employment Law](#)[Contingent Fee Business Litigation](#)[Pharmaceutical and Medical Device Litigation](#)**Professional Associations and Memberships**

Alabama State Bar Young Lawyers Section

Birmingham Bar Association

Alabama State Bar Association

Florida Bar Association

Mississippi Bar Association

Alabama Association for Justice

American Association for Justice

National Association of Consumer Advocates

Bar Admissions

Florida, 2003

Mississippi, 2003

Alabama, 2000

U.S. District Court Northern District of Alabama, 2000

U.S. District Court Southern District of Alabama, 2000

U.S. District Court Middle District of Alabama, 2000

Education

Cumberland School of Law, J.D.

Auburn University, B.A.



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Attorneys at Law

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Toll Free: 1-800-210-7476

EXHIBIT 2

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2007

EXHIBIT 4

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LOPESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2008

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2009

EXHIBIT 2

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2010

EXHIBIT 40

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2011

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION: MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2012

EXHIBIT 2

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2013

EXHIBIT

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2014

EXHIBIT 4

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	2015

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

TIME AND LODESTAR SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.												
Reporting Year	Inception through Present												

Year		1	2	3	4	5	6	7	8	9	10	11	12	Hours	Lodestar
2007		0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	\$ 200.00
2008		2.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.9	\$ 1,450.00
2009		39.3	0.0	1.3	0.0	0.0	0.0	5.9	0.0	0.0	0.0	0.0	0.0	46.5	\$ 20,900.00
2010		9.2	0.0	9.3	10.0	0.0	0.0	13.7	0.0	0.0	0.0	0.0	0.0	42.2	\$ 18,225.00
2011		11.7	0.0	24.6	3.1	0.0	0.0	0.6	0.0	0.0	0.0	0.0	0.0	40.0	\$ 19,625.00
2012		5.2	0.0	0.9	0.0	5.3	8.7	34.7	0.0	0.0	0.0	0.0	0.0	54.8	\$ 18,377.50
2013		1.0	0.0	0.6	0.0	0.0	0.0	8.2	0.0	0.0	0.0	0.0	0.0	9.8	\$ 4,900.00
2014		0.6	0.0	0.0	0.0	0.0	0.0	8.3	0.0	0.0	0.0	0.0	0.0	8.9	\$ 4,450.00
2015		0.0	0.0	0.0	0.0	0.0	0.0	1.3	0.0	0.0	0.0	0.0	0.0	1.3	\$ 650.00
		70.3	0.0	36.7	13.1	5.3	8.7	72.7	0.0	0.0	0.0	0.0	0.0	206.8	\$ 88,777.50

STATUS:

- (P) Partner
- (OC) Of Counsel
- (A) Associate
- (LC) Law Clerk
- (PL) Paralegal
- (I) Investigator

CATEGORIES:

- 1 Attorney Meeting/Strategy
- 2 Court Appearance
- 3 Client Meeting
- 4 Draft Discovery Requests or Responses
- 5 Deposition Preparation
- 6 Attend Deposition - Conduct/Defend
- 7 Document Review
- 8 Experts - Work or Consult
- 9 Research
- 10 Motions/Pleadings
- 11 Settlement
- 12 Trial

EXHIBIT 3

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
 EXPENSE SUMMARY
 INDIRECT PURCHASER PLAINTIFFS

Firm Name	McCallum, Methvin & Terrell, P.C.
Reporting Year	Inception through May 31, 2015

TYPE OF EXPENSE	TOTAL
Assessments	\$ 20,000.00
Outside Copies	
In-house Reproduction /Copies	\$ 5,923.30
Court Costs & Filing Fees	
Court Reporters 7 Transcripts	
Computer Research	\$ 197.18
Telephone & Facsimile	
Postage/Express Delivery/Courier	\$ 98.72
Professional Fees (investigator, accountant, etc.)	
Experts	
Witness / Service Fees	
Travel: Airfare	\$ 873.70
Travel: Lodging/Meals	\$ 1,374.74
Travel: Other	\$ 691.58
Car Rental/Cabfare/Parking	\$ 269.00
Other Expenses	
	\$ 29,428.22